



Memorandum

Agenda Item No. 7(A)3a

To: Honorable Chairperson and Members
Board of County Commissioners

Date: September 9, 2003

From: 
George M. Burges
County Manager

Subject: Request to Reject Bids for MIA
Security Equipment Procurement II
Project No. ITB-MDAD-05-02

The attached Bid Rejection Recommendation has been prepared by the Miami-Dade Aviation Department (MDAD) and is recommended for approval.

PROJECT:	MIA Security Equipment Procurement II
PROJECT NO:	ITB-MDAD-05-02
PROJECT LOCATION:	Miami International Airport
PROJECT DESCRIPTION:	Providing all personnel, materials, tools, labor, new equipment, hardware, software (including any and all required software licenses, warranty, related rights), and materials necessary for the design, development, delivery, installation, integration, operation and maintenance, and warranty of the security equipment as specified.
JUSTIFICATION:	<p>The basis for this rejection is that all three of the bids received substantially exceeded the Aviation Department's estimated project budget (see attached corrected bid tabulation).</p> <p>It is the Department's intention to evaluate and further clarify the project scope of work in an effort to bring the future bid prices to within the budget. The project will then be re-advertised for bids.</p>
ORIGINAL COST ESTIMATE:	\$11,401,072
CONTRACT PERIOD:	1995 days (Including three years Operation and Maintenance)
ART IN PUBLIC PLACES:	Not Applicable
INSPECTOR GENERAL FEE:	Provision Included
IPSIG:	Provision Included
USING AGENCY:	Miami-Dade Aviation Department
MANAGING AGENCY:	Miami-Dade Aviation Department

FUNDING SOURCE:

Airport Revenue Bonds, FAA Grant

REVIEW COMMITTEE DATE:

N/A Federal DBE project

DBE INFORMATION:

10% Subcontractor Goal

**ALLOWANCES/CONTINGENCY
(ORD. 00-65):**

10%, \$1,027,123.60

**APPROVED FOR LEGAL
SUFFICIENCY:**

Yes

Corrected Bid Tabulation

PROJECT NAME: MIA Security Equipment Procurement II

PROJECT NO: ITB-MDAD-05-02

A/E CONSULTANT: N/A

PROJECT
MANAGER: Donald Waugh
III

BID OPENING

DATE: March 19, 2003

BIDS VALID THRU: September 15,
2003

BIDDERS' NAMES

	Pre-Bid Estimate	AFCO Constructors, Inc.	Fisk Electric Company	International Business Machines Corporation		
Equipment	\$8,039,535.00	\$12,371,247.00	\$10,353,397.00	\$7,827,735.85		
Integration	\$0.00	\$1,343,560.00	\$2,480,791.00	\$2,028,984.76		
1 yr Basic and 2yr Extended Warranty	\$388,875.00	\$2,944,860.00	\$2,244,411.00	\$3,840,636.66		
3 years Operation and Maintenance	\$1,802,826.00	\$3,138,554.00	\$2,111,441.00	\$2,483,443.26		
Training	\$40,000.00	\$133,852.00	\$125,745.00	\$148,782.70		
Sub Totals	\$10,271,236.00	\$19,932,073.00	\$17,315,785.00	\$16,329,583.23		
Allowance Account	\$1,027,123.60	\$1,993,207.30	\$1,731,578.50	\$1,632,958.32		
Insp. General Audit Acct.	\$25,678.09	\$49,830.18	\$43,289.46	\$40,823.97		
IPSIG Audit Account	\$77,034.27	\$149,490.55	\$129,868.39	\$122,471.87		
TOTAL	\$11,401,071.96	\$22,124,601.03	\$19,220,521.35	\$18,125,837.39		

MAILING ADDRESS: P.O. BOX592075, MIAMI, FLORIDA 33159 • 4200 N.W. 36 STREET, SUITE 400, MIAMI, FLORIDA 33122
MIAMI INTERNATIONAL AIRPORT

REMARKS: All three bidders made extension errors as totaled below:

AFCO corrections added \$855.00 to their bid
Fisk corrections reduced their bid by \$122,173.65
IBM corrections reduced their bid by \$1,125,584.80

These corrections did not change the ranking of bidders



MDAD/DAC Project Manager

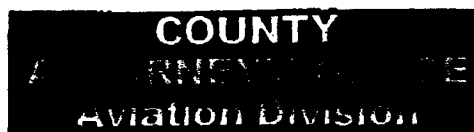
PRINT NAME: Donald Waugh III

cc: Asst. Aviation Director-Facilities Development, Manager-Facilities, Facilities Section Chiefs, Contracts Administration, DAC Managers of Programs, Clerk of the Board

MAILING ADDRESS: P.O. BOX592075, MIAMI, FLORIDA 33159 • 4200 N.W. 36 STREET, SUITE 400, MIAMI, FLORIDA 33122
MIAMI INTERNATIONAL AIRPORT

Page 2 of 2

Mailing Address: P. O. Box 592075
Miami, Florida 33159-2075
Delivery Address: Terminal Building
Concourse A, 4th Floor
Phone: (305) 876-7040 Fax: (305) 876-7294



Memo

TO: Don Newberry
Dade Aviation Consultants

cc: Steve Baker
Deputy Aviation Director, MDAD

FROM: Roy Wood *Roy Wood*
Assistant County Attorney

DATE: April 8, 2003

RE: Security Equipment Procurement II - ITB MDAD 05-02

I have reviewed the Bid Analysis Matrix in conjunction with this ITB and the bids submitted in response. I cannot conclude that any of those bids are not responsive based on the Matrix.

The language of the Buy American Certificate does not require that the certificate be submitted with the bid unless the bidder intends to list items not produced in the United States. It states that the submission of the bid constitutes a certification that steel and manufactured products are produced in the United States except for any items listed on the form found at S6-22. Accordingly, the failure to submit a form listing such items does not render a bid non-responsive, but it does commit the bidder to use only those products produced in the United States.

The omissions described in Notes 1 and 2 of the Matrix do not constitute material variances sufficient to render the bids non-responsive. See Robinson Electric Co. v. Dade County, 417 So.2d 1032 (Fla. 3DCA 1982); Tropabest Foods, Inc. v. State Dept. of Gen. Services, 493 So.2d 50 (Fla. 1 DCA 1986); McQuillan, Municipal Corporation §§29.65, 29.67 n.3 (3d Ed. rev. 1999).

The failure to submit corrected delivery dates as noted in Note 1 can be cured by late submission of this information; because, the bidder does not receive undue advantage thereby, since the corrected dates are more favorable to the bidder.

The irregularity alluded to in Note 2 consists of the fact that the bidder checked the space on S6-4 indicating that the "person or affiliate" had not been placed on the convicted vendor list, but did not list action taken or pending with the Florida Dept. of General Services. This was one of three alternate responses to be checked if the bidder checked the first space atop the page to indicate that the bidder or a principal thereof had been convicted of a public entity crime subsequent to 1 July 1989. Since the bidder here did not check that first space, the checking of the fourth space on the page constitutes a certification that the adjacent statement is, standing alone, literally true; i.e., the person or affiliate has not been placed on a convicted vendor list and no actions were taken or pending.

If necessary, the bidder can be requested to submit an amended certificate correctly completing the form to accurately reflect the circumstances with respect to this issue as they existed at the time of bid submission. See McQuillan, supra, §29.67 n.3.

Each of the three bids received for this ITB is responsive according to the Bid Analysis Matrix.

RW:dh

6



MIAMI-DADE AVIATION CONSULTANTS
GENERAL CONSULTANT TO THE MIAMI-DADE COUNTY AVIATION DEPARTMENT

April 22, 2003

A JOINT VENTURE OF
BECHTEL INFRASTRUCTURE CORPORATION
DMJM AVIATION, INC.
SPILLIS CANDELA & PARTNERS, INC.
THE BUGDAL GROUP
POINCIANA DEVELOPMENT GROUP, INC.
MAURICE GRAY ASSOCIATES, INC.
SHARTON, BRUNSON & COMPANY
TBI AIRPORT MANAGEMENT, INC.

AN EQUAL OPPORTUNITY EMPLOYER

Mr. Narinder Jolly, Assistant Director
Facilities – Development Division
Miami-Dade Aviation Department
P.O. Box 592075
Miami, Florida 33159

Subject: MIA - Capital Improvement Program
Security Equipment Procurement II (SEP II)
MDAD Project No. ITB-MDAD-05-02
Recommendation to Reject Bids

Dear Mr. Jolly:

Five security projects within the Capital Improvement Program were submitted by MDAD and approved by the FAA for grant participation for federal fiscal year 2002. The procurement and installation package entitled 'Security Equipment Procurement II (SEP II) provides security and network equipment to support the five projects. The equipment consists of additional close circuit television cameras, access control equipment, recording devices, video transmission and network equipment. The procurement also includes operations and maintenance (O&M) for a period of three years, an extended warranty for two years and additional training for MDAD users.

Bids from three interested vendors were received on March 19, 2003. The vendors were IBM, AFCO Constructors and Fisk Electric and the bids ranged from a high of \$21 million to a low of \$18 million. The DAC pre-bid estimate was \$11.4 million.

The bid packages were submitted to MDAD Minority Affairs and the County Attorney's Office for review of bid responsiveness. A subsequent series of questions was openly solicited from the three vendors to assist in evaluating the difference between the bids and the DAC pre-bid estimate. The bids and vendor responses to the questions were reviewed and discussed with the Assistant Directors for Security and Safety, the Maintenance Division and the Manager of the Telecommunications Division. Upon completion of this review, DAC is making a recommendation to MDAD to reject all three bids. The basis for the rejection is that all three bids exceed the approved CIP estimated project budget.

With the concurrence of the three MDAD Divisions and agreement with the recommendation, DAC intends to proceed with the following changes to the contract documents in preparation to re-bid:

1. Re-evaluate the need for all components and revise the specifications in the following four areas.
 - a. Omit two control servers and the associated O&M, warranty and integration. MDAD has determined that this equipment can be procured at a substantially reduced cost through a separate MDAD procurement process.
 - b. Delete the three-year O&M provision from the specifications. This scope of work can be included within a O&M package the Telecommunications Division currently out to bid.
 - c. Omit the training provisions from the specifications and use the allowance account for any specific training MDAD would require on equipment provided.
 - d. Review spare parts requirements.
2. Utilize State procurement contracts to provide equipment that is time critical to support the North Terminal Development 'D' Extension Project. Use existing spare parts and equipment in the completed security rooms, if required, to insure the NTD 'D' Extension Project schedule is met.
3. Continue to update the FAA and the FDOT of the rejection and the re-bid process to assure the continued availability of fiscal 2002 grant participation..

Based upon this recommendation and in accordance with the recommendations of the County Attorney and MDAD Contracts, the attached County Manager Memorandum and Bid Recommendation has been prepared for submittal at the June 3, 2003 Board of County Commissioners Meeting. The schedule for re-bidding is June 23, 2003 with bids due on July 23, 2003.

The DBE goal needs to be reconfirmed with Minority Affairs prior to processing the re-advertisement to the County Manager. We will work with MDAD Contracts and Minority Affairs to expedite this review.

Please indicate your acceptance of this recommendation by signing in the space provided below. Should you require additional information, please feel free to contact me if you have any questions on this matter.

Very truly yours,

DADE AVIATION CONSULTANTS



Mark T. Massman
Program Manager

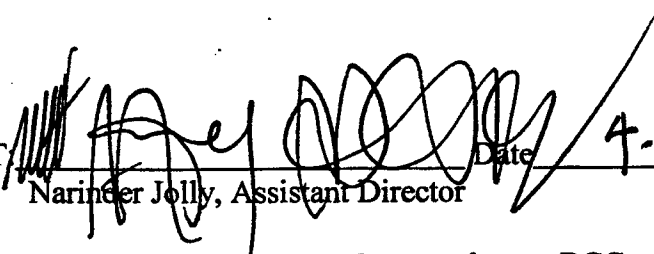
8

Mr. Narinder Jolly

April 22, 2003

Page 3

ACCEPT


Narinder Jolly, Assistant Director

Date

4-22-03

Attachments: 1. County Manager Memorandum to BCC and Bid Rejection Recommendation
2. Corrected Bid Tabulation
3. County Attorney Memorandum dated April 8, 3003

cc: C. Bonzon
M. Forare
M. Fajardo
B. Phillips
M. Jenkins
D. Whittington
M. George
R. Wood
H. Gregory
R. Robinson
G. Dassow
D. Newbery
B. Henry
D. Waugh
Document Control

9